

IP Section Licensing Committee Meeting

Thursday, June 7, 2007, 8:30 a.m. — 9:30 a.m.

MINUTES

PARTICIPANTS: Kevin DeBré (Chair; kdebre@biztechlaw.com), Jim Wright (sitting in for Tom Speiss as minutes keeper, jwright@commsoft.com), Tim Connor, Jenny Cox, Jeff Craft, Jim Dawson, Allison Malin, Lee Rawles, Tony Sarabia, Dana Schultz and Steve Sereboff.

I. Introduction

Mr. DeBré first briefly introduced the Committee, and the attendees identified themselves.

Mr. DeBré reminded the Committee and other attendees of the contents of the Committee's web page (http://www.calbar.ca.gov/state/calbar/calbar_sections_generic.jsp?cid=11471) containing, among other things, the minutes of prior meetings, and links to resources from some of the presentations given on prior calls, including outlines, power point presentations, etc. New presentations were invited either by Committee members or by other parties with interesting topics pertinent to the focus of the Committee, and Mr. DeBré invites people to email him directly with topic suggestions.

Jenny Cox was also introduced to the group as the Liaison to the IP Section Executive Committee, and Mr. DeBré briefly explained that the IP Section Executive Committee will begin planning of next year's IP Section educational programs during the Long Range Planning Retreat on July 28-29.

II. Substantive Items Discussed

The items discussed during this meeting included: (1) solicitation of ideas for presentations at IP Section and other State Bar conferences and educational forums, (2) solicitation of speakers on IP law topics, and (3) the Licensing Committee's future activities.

1. IP Section Future Institute/Educational Program Speakers

Mr. DeBré and Ms. Cox requested ideas, either at the meeting or in future contact over the next couple of months, for presentations at future meetings of the IP Section and other state bar events, as well as volunteers to give or participate in presentations and panels. Suggestions in the meeting included:

A. Jim Wright suggested a program and/or panel on open source issues, including both coverage of the new GPLv3 and also other more basic open source issues, and volunteered to present on this issue at either the 2008 IP Institute or another venue. Jim Dawson suggested that he might also be interested in such a program.

It was suggested by Mr. DeBré that this could be offered in concert with the Computer Law Committee or Copyright Committee, and this will be discussed in the Executive Committee planning meeting. With respect to timing, there were no particular issues other than avoiding end-of-month times for deal closures. Mr. DeBré is to report back to the Licensing Committee on the findings of the Executive Committee in this regard after the Long Range Planning Retreat.

B. Mr. DeBré suggested that DRM (Digital Rights Management) might also be a good topic. This was agreed by several of the Committee members, and Ms. Cox suggested that this might be a good fit with the Internet Law program.

C. Please contact Mr. DeBré at kdebre@biztechlaw.com with other suggestions or proposed presentations for the upcoming year.

2. Other Speaking Venues and Facilitating Other Speaking Opportunities

A. Jim Dawson, Committee member and VP of the IP Section of the Ventura County Bar Association, is actively soliciting presenters on IP topics. Please contact him at jdawson@koppelpatent.com with prospective topic ideas or presenters.

B. Mr. DeBré also noted that he was recently contacted by someone seeking an IP attorney to teach an extension class on IP issues through University of California Santa Barbara.

C. It was therefore suggested that a speaker's list, separate from the not-currently-externally-distributed Committee Member Directory, be developed for posting on the Committee web page and/or the Yahoo! group. This may include both members of the Committee who have volunteered and others who have spoken before the Committee. Please contact Mr. DeBré at kdebre@biztechlaw.com if you would like to be listed.

3. Function and Future of the Committee

Mr. DeBré questioned the group regarding whether the Committee is serving its members well, and regarding what, if anything, should be added going forward.

A. It was raised that some members have suggested a forms library, and that there are already some forms being posted on the Yahoo group. Mr. DeBré offered that such a project could be leveraged into a publication or practice guide similar to a project undertaken by the IP Section's Trade Secrets Committee a couple of years ago to create a trade secrets law

treatise that was published by the State Bar. This might be something for the members of the group to consider, and the discussion is to be continued going forward.

B. Ms. Cox also referred the group to TechLawForum.net, a forum on patent and internet law and policy, for reference material and discussion on open source issues, etc.

D. Finally, Tony Sarabia suggested a remedies discussion on one of the Committee's monthly conference calls, and/or a program on remedies at one of the educational programs. He would be interested in working with other people on a program presenting different royalty and remedy approaches in different areas of IP law. Mr. DeBré and Ms. Cox each suggested they might participate in helping to develop such a program, and anyone that is interested in helping to develop such a program should contact Tony Sarabia directly at asarabia@cox.net. Mr. Sarabia will be putting together a list of areas and tasks and manage the implementation of the project.

4. Monthly Committee Conference Calls

The next monthly conference call will take place on Thursday, July 12, 2007, from noon until 1 p.m. (the second rather than first Thursday of the month in order to avoid absences connected with the July 4 holiday). The previously postponed discussion of the impact of the *MedImmune* decision on patent licensing by Lorelei DeLarena can hopefully take place after the publication of Kevin DeBré's Licensing Forum column in the upcoming issue of *New Matter*. Anyone who is interested in contributing to the presentation is invited to contact Mr. DeBré at kdebre@biztechlaw.com.

Meeting adjourned.